

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

RHETT IRONS,

Defendant.

NO. 2:19-cr-00035-RAJ

ORDER SETTING TRIAL DATE

This matter comes before the Court on the stipulated motion of the parties to set a trial date of February 27, 2023. The Court, being fully advised, finds and rules as follows:

On December 12, 2019, Defendant was convicted in this Court after a four-day jury trial on three counts – one count conspiracy to distribute fentanyl, one count possession of a firearm in furtherance of a drug trafficking crime, and one count possession of fentanyl with intent to distribute. Defendant was sentenced to a combined sentence of 180 months on March 6, 2020.

On April 11, 2022, the Ninth Circuit Court of Appeals reversed the firearms conviction, and only the firearms conviction, and remanded this matter back to this Court for further proceedings. Defendant had begun serving his sentence and is housed at FCI Terminal Island, California, and is in the process of being transferred back to this District.

1 The Court finds that February 27, 2023 is an appropriate trial date. Setting a trial
2 for that date will provide enough time for defendant to be transferred back to this District
3 from his current place of confinement, sufficiently in advance of trial to permit counsel
4 for the defense time to confer with his client and prepare for trial. It will also provide
5 counsel for both parties – neither of which were lead counsel at the original trial in this
6 matter – sufficient time to otherwise review the discovery and evidence and prepare for
7 trial.

8 The Court further finds that a trial date earlier than February 27, 2023 will not
9 provide counsel sufficient time for effective preparation for either party, taking into
10 account the exercise of due diligence, and would result in a potential miscarriage of
11 justice, all within the meaning of 18 U.S.C. §§ 3161(h)(7)(B)(i), (ii) and (iv).

12 Accordingly, based on the foregoing, now therefore it is hereby:

13 ORDERED that the trial of this matter is set for February 27, 2023, at 9:00 a.m.

14 IT IS FURTHER ORDERED that the time between this order and said trial date is
15 excluded in computing the time within which a trial must be held pursuant to Title 18,
16 United States Code, Section 3161, et seq.

17 DATED this 28th day of July, 2022.

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20 HON. RICHARD A. JONES
21 United States District Judge
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